

REMARKS/ARGUMENTS

Claims 1-3, 6, 7, 16 and 22 are amended. Claims 4, 5, 10, 11, 21, 23-30, 39-50, 63-68, 71-76 and 83-98 are canceled. Claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70 and 77-82 remain in the application.

Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and discussion below.

Claims 1-3, 6, 7, 16 and 22, all of the independent claims of the application, are amended to require a multiple spiral barb disposition. Other barb dispositions previously recited are now canceled from the claims. No new matter has been added by the amendments.

Claims 1-3, 6-9, 12, 14-17, 19-22, 31, 33-35, 37 38, 51, 53-57, 59-62, 69, 70, 77 and 79-82 are rejected as being anticipated by or obvious in view of McKenzie (GB 1,091,282). Regarding claims 1 and 10, the examiner states that McKenzie discloses a barbed suture, citing Fig 6 of McKenzie, wherein the barbs have an overlapping, or staggered, disposition, citing Fig 11 of McKenzie. The examiner adds with respect to claims 2, 26, and 67, the barbs may face in only one direction, again citing Fig 6 and page 3, lines 48-51 of McKenzie, and with respect to claims 3, 27, and 68, the suture may have a first barbed portion that faces toward a first end and a second barbed portion that faces toward a second end, citing Fig 9 and page 3, lines 103-109 of McKenzie.

Regarding claims 6-9 and 22, the examiner states that the barbs may be interpreted to have a twist cut multiple spiral disposition, since they are formed by twisting a monofilament to produce a cruciform shape, citing Fig 12 of McKenzie, cutting the ribs to produce the series of barbs, and twisting the suture in its longitudinal axis (pg 3, ln 128 – pg 4, ln 9). The examiner correctly notes that McKenzie does not disclose the specific number of times the suture is twisted per inch or the specific dimensions of the spirality angle. The examiner concludes it would have been obvious to modify the suture of McKenzie to incorporate the claimed number of twists per inch and spirality angle since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges or the an optimum value involves only routine skill in the art (see *In re Aller*, 105 USPQ 233, *In re Boesch*, 617 F.2d 272, 205 USPQ 215, and MPEP 2144.05).

The Examiner is thanked for the in person interview with the undersigned on April 29, 2008. The independent claims of the present application were discussed in view of McKenzie. The amendments proposed are consistent with those presented herein, specifically defining a barbed suture comprising a multiple spiral barb disposition. The general thrust of applicants' attorney's argument was that McKenzie does not teach or suggest the claimed multiple spiral barb disposition wherein barbs are spaced longitudinally along the body such that a plane perpendicular to the longitudinal axis of the suture and cutting transversely through the suture and intersecting a barb will not intersect any other barb. Applicants' attorney further indicated that the examiner misread McKenzie with regard to the statement "rolled to produce a cruciform

shape". According to McKenzie, this teaching describes rolling a nylon monofilament between forming rollers, which forces the monofilament into a cruciform shape and does not describe twisting of the monofilament as suggested by the examiner. The general outcome of the interview was that the examiner agreed to do further research and consideration of the prior art to determine whether the claims, as amended, overcome the prior art.

Applicants submit that McKenzie does not teach or suggest a multiple spiral disposition as presently claimed. The McKenzie barbs are not longitudinally offset with respect to each other, thus a plane perpendicular to the longitudinal axis of the McKenzie suture and cutting transversely through the suture and intersecting a barb will intersect another barb. Further, McKenzie is not twisted prior to cutting. McKenzie specifically states at pg 3, ln 128 - pg 4, ln 9, that the nylon monofilament of circular cross section is rolled to produce a monofilament of cruciform cross section, and the ribs are cut with an angled or V-shaped cut to produce a series of barbs, and then the suture is twisted. Thus, the features recited in claims 6, 7 and 22 reciting twists per inch and spirality angle are not taught or suggested by McKenzie.

The dependent claims of the present application include the features discussed above and are allowable for the same reasons. In addition to these distinguishing features, the barbed suture of the present invention has additional advantageous features defined in the dependent claims which further distinguish the present invention over the prior art.

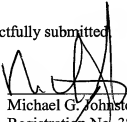
For the foregoing reasons, the Applicant respectfully submits that claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70 and 77-82 are now in condition for allowance. Entry of the amendments and allowance of the application at an early date is respectfully requested.

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